

PROCEEDINGS OF THE CONGRESS AT PANAMA.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING INFORMATION IN RELATION TO THE

PROCEEDINGS OF THE CONGRESS

WHICH ASSEMBLED LAST SUMMER

At Panama, &c.

DECEMBER 26, 1826.

Read, and laid upon the table.

WASHINGTON :

PRINTED BY GALES & SEATON.

1826.

To the House of Representatives of the United States:

WASHINGTON, 26th December, 1826.

I transmit to the House of Representatives a Report from the Secretary of State, with sundry documents containing the information requested by two resolutions of the House, of the 15th inst. relating to the Proceedings of the Congress of Ministers which assembled last Summer at Panama. The occasion is taken to communicate, at the same time, two other despatches from the Minister of the United States to the Mexican Confederation, one of which should have been communicated at the last session of Congress, but that it was then accidentally mislaid, and the other having relation to the same subject.

JOHN QUINCY ADAMS.

DEPARTMENT OF STATE,

Washington, 21st Dec. 1826.

The Secretary of State, to whom the President has referred two resolutions of the House of Representatives, adopted on the 15th inst. by the first of which the President is requested to furnish to the "House any information in his possession, which, in his opinion, "may be communicated without detriment' to the public service, "concerning the nature of the stipulations contained in the Treaty "of League and Perpetual Friendship; the Convention respecting "Contingents; and the Special Convention and Compact which "were concluded and signed at Panama, on the 15th July last," and, by the second, to communicate "any information in his possession relative to the organization, proceedings, and adjournment, of the "Congress lately held at Panama, which, in his opinion, may be "communicated without detriment to the public interest," has the honor now to report to the President,

1. Copy of a despatch from Mr. Poinsett, (No. 53,) under date the 20th August, 1826, with the accompanying documents.
2. An extract from a despatch from the same Minister, (No. 55,) under date the 26th August, 1826, with the accompanying documents.
3. Copy of a despatch from the same Minister, (No. 56,) under date the 6th Sept. 1826. Extracts.
4. Copy of a despatch from the same Minister, (No. 58,) under date the 23d Sept. 1826.
5. Copy of a despatch from the same Minister, (No. 59,) under date the 4th Oct. 1826, with the accompanying document; and
6. Copy of a note from Mr. Salazar, under date the 20th day of Nov. 1826.

These papers and documents supply all the information in the possession of the Department of State, called for by both the abovementioned resolutions.

During the last session of Congress, a despatch from Mr. Poinsett was accidentally mislaid. In order to replace it, a note was addressed to him, and a copy of the last despatch was obtained. It is laid before the President, at this time, for his decision upon the propriety of his taking this occasion to communicate it to the House of Representatives. With the same view, a copy of a despatch from Mr. Poinsett, (No. 43,) under date the 6th day of May last, is reported to the President.

All which is respectfully submitted.

H. CLAY.

DEPARTMENT OF STATE

Washington, 21st Dec. 1895

The Secretary of State, to whom the President has referred two resolutions of the House of Representatives adopted on the 15th inst. by the first of which the President is requested to furnish to the House any information in his possession, which, in his opinion, may be communicated without detriment to the public service, concerning the nature of the stipulations contained in the Treaty of League and Friendship concluded at Panama on the 15th July last, and the second, to communicate any information in his possession relative to the organization, proceedings, and adjustment of the Congress lately held at Panama, which, in his opinion, may be communicated without detriment to the public interest, has the honor now to reply to the President.

1. Copy of a despatch from Mr. Poincaré, 19th Sept. 1895, under date 19th August, 1895, with the accompanying documents.
2. An extract from a despatch from the same Minister, 19th Sept. 1895, under date 19th August, 1895, with the accompanying documents.
3. Copy of a despatch from the same Minister, 19th Sept. 1895, under date 19th Sept. 1895.
4. Copy of a despatch from the same Minister, 19th Sept. 1895, under date 19th Sept. 1895.
5. Copy of a despatch from the same Minister, 19th Sept. 1895, under date 19th Oct. 1895, with the accompanying documents; and
6. Copy of a note from Mr. Poincaré, under date 19th day of Nov. 1895.

These papers and documents supply all the information for the present session of the Department of State, called for by both the above-mentioned resolutions.

During the last session of Congress a despatch from Mr. Poincaré was accidentally mislaid. In order to replace it, a note was addressed to him, and a copy of the last despatch was obtained. It is said before the President at this time for his decision upon the propriety of his taking this occasion to communicate it in the House of Representatives. With the same view, a copy of a despatch from Mr. Poincaré, 19th Sept. 1895, under date 19th day of Sept. last is referred to the President.

All which is respectfully submitted.

H. C. 111

No. 53.

To the Hon. HENRY CLAY,

Secretary of State, Washington.

LEGATION OF THE UNITED STATES,

Mexico, 20th August, 1826.

SIR: I have the honor to send herewith the translation of a note received late last night from the Secretary of State *ad interim*, together with the Gazette to which it alludes.

The Government received this intelligence only yesterday, and I doubt whether the terms of the treaties and conventions concluded at Panama are yet known here. Nothing relating to them has yet transpired.

I am, sir, very respectfully,

Your obedient servant,

J. R. POINSETT.

[TRANSLATION.]

To His Ex. J. R. POINSETT,

*Minister Plenipotentiary and Envoy Extraordinary
from the United States of North America.*

PALACE, MEXICO, 19th August, 1826.

MOST EXCELLENT SIR: The most Excellent President of this Republic, desirous that your excellency should be gratified with the intelligence, no less important than flattering, contained in the Gazette Extraordinary of to-day, and that you should communicate the same to your Government, has directed that ten copies of it should be remitted to your excellency; and the undersigned, while he fulfils with pleasure this supreme order, has the honor to renew to your excellency the assurances of his distinguished consideration.

JUAN JOSE ESPINOSA DE LOS MONTEROS.

[TRANSLATION.]

Extraordinary Gazette of the Supreme Government of the Mexican Federation.

The official document, which, by order of the most excellent President, is copied below, imparts the most glorious political event that

posterity will ever celebrate in the annals of the new American States, which, intimately connected by the indissoluble bonds of fraternity, met together in the famous Assembly of Panama to sustain their independence against their ancient oppressor.

We refer with pleasure to the plain tenor of the document itself, without making a mystery of any of its clauses; nor, by pompous annunciations, depriving the inhabitants of the happy Anahuac of the ineffable pleasure of regarding themselves the honor, which, in so happy an event, has fallen to the lot of the Federal Republic of the United Mexican States. Blessed be Providence, that has deigned so bountifully to extend to them its favors; praise and immortal glory to the learned, zealous, active, and patriotic Ministers Plenipotentiaries of that Assembly, who have discharged, with so much ability, the most high, serious, and important object of their mission, and to the Governments of the States concerned, who have evinced so much judgment in their delicate choice!

“Legation of Mexico to the Assembly of the New American States.

“MOST EXCELLENT SIR: We arrived at this port to-day in the brig of war *Constante*, having left Panama the 21st of the past month, and have the satisfaction of announcing to your excellency, that, on the 15th of the same month, were concluded and signed a treaty of league and perpetual friendship between the Republics represented, a convention respecting contingents, a secret convention, and an agreement which, within a few days, we shall have the honor of delivering, personally, into the hands of your excellency.

“In conformity with this agreement, the Assembly of Plenipotentiaries is transferred to the village of Tacubaya, there to continue its sessions; and, for this purpose, a Minister of each Republic proceeds to Mexico, whilst the others have gone to communicate what has been done by the Congress, to their respective Governments. His Excellency Don Pedro Gual, Minister for Colombia, will leave here for the capital within three days. His Excellency Don Antonio Larrazabal, Minister for Central America, has arrived in company with us, and likewise proceeds to Mexico. His Excellency Don Manuel Tudela, Minister for Peru, and the Secretaries of that Legation, and of that of Central America, are expected in a few days, in the brig *Tres-hermanos*, for the same purpose.

“All which we communicate to your Excellency, that you may be pleased to arrange what you think expedient, in order that the Plenipotentiaries may find the succors they require, and that every possible facility may be afforded them, suited to the dignity of our Republic, and likewise that this interesting intelligence may be laid before the Most Excellent President.

“May God preserve your Excellency many years. Acapulco, Aug. 15, 1826.

“JOSE MARIA MICHELENA,

“JOSE DOMINGUEZ.

“To His EXCELLENCY, the Minister of State,
and of Interior and Exterior Relations.”

NOTE. By a private letter, of the 15th of this month, we learn the following, viz :

Ministers Plenipotentiaries of the Assembly.

For Colombia: Señor Gual, who left Acapulco on the 16th instant, for the capital. Señor Briseño, who returned with the treaties.

For Peru: Señor Tudela, who will arrive at Acapulco in eight or ten days. Señor Bidaurre, who returned with the treaties.

For Guatemala: Señor Larrizabal, who comes with our Ministers Plenipotentiaries. Señor Molina, who returned with the treaties.

The Minister of Holland comes via Vera Cruz.

The Minister of England will not come until November.

(TACUBAYA is two leagues from this capital.)

Extract of a letter, No. 55, from Mr. Poinsett to Mr. Clay, dated Legation of the U. S. of America, Mexico, August 26th, 1826.

“The Plenipotentiaries from Panama have not yet reached this city. It is, now, confidently asserted, that those from Mexico were instructed to propose the removal of the Congress to Yucatan, or some other point in these States. Upon their arrival, I shall endeavor to learn the precise nature of the secret Convention, concluded at Panama. In all probability, it relates to the invasion of Cuba and Porto Rico.

“I send, herewith, a translation of the Speech of the President of the Congress of Panama, on the installation of that assembly.”

PANAMA.

Installation of the American Congress, the 22d of June, 1826.

This day may be called the day of America. From this day, the people enjoy freely their political liberty, and each individual conforms to his social compacts. A strict and eternal bond unites the four Republics of Colombia, Guatemala, Mexico, and Peru. All engage mutually to assist each other against their foreign oppressors, and against those who may attempt to infringe the rights they have recovered. To preserve a perfect equality, the Presidency was decided by lot, as was the order of signatures. The names of the Most Excellent Señors Pedro Gual, Minister of State, and of Exterior Relations of Colombia; Antonio Larrizabal, Penitentiary of the Holy Cathedral Church of Guatemala; Don Manuel Lorenzo de Vidaurre, President of the Supreme Court of Justice of Peru, and decorated with the medal of *Benemaritos* of his country; Don José de Michelena,

Brigadier General in the armies of Mexico ; Pedro Briceño Mendez, Brigadier General in the armies of Colombia, and of the Liberators of Venezuela and Cundinamarca ; Pedro Molina, Plenipotentiary from Central America ; Don Manuel Perez Tudela, Attorney General of the Supreme Court of Justice of Peru ; and Don José Dominguez, Regent of the Tribunal of Justice of Guanaxuato, will be repeated forever with respect, as the most eminent defenders of our Liberty and Independence. Blessed be the God of Justice, who, in recompense of our toils and slavery, has vouchsafed to us forever the means of being happy.

Address of Don Manuel Lorenzo de Vidaurre, to the Plenipotentiaries of the American States assembled at Panama.

The inhabitants of the Americas which were formerly Spanish, will cover themselves with infamy in the eyes of all known nations, if they fail to promulgate such wise, equitable, and just laws as will ensure their present felicity, and that of their descendants, for many generations. Restored to the state of nature, free and independent, in perfect possession of all their rights, and of that free will given to them by the Sublime Author of all beings, they are more perfect than in the early days of the creation. Then, man could not be prudent, because he had no experience ; he could not avoid evil, because he knew it not ; he was incapable of enjoyment, because he was ignorant of pain or pleasure. Now, in the exercise of his perfected faculties, he distinguishes that which is justice, and that which is injustice ; the useful and agreeable from the pernicious and troublesome ; security from danger ; the fruition of continued moderate pleasures, from delights momentary though intense. The overthrow of a thousand empires, the flux and reflux of riches throughout all parts of the known world, the destruction of some cities and the elevation of others, the rise and fall of States, all are lessons of which he may profit, all are rules offered to him for his present conduct.

Among the many physical, moral, and political revolutions which history relates, and philosophers have examined, our own is unexampled. Dynasties succeeded each other, in China, from the time of Fo-hi until the Tartar seized the throne ; the Egyptians number three hundred and forty-one generations to the days of Lethon ; the Persians succeeded the Medes, as these had succeeded the Assyrians ; the Romans took the place of all ; a cloud of locusts sallies forth from the North, and takes possession of the South of Europe ; the infant Henry and Columbus discover a new world ; Cortez, Pizarro, and other criminal adventurers dethrone sovereigns, and seize upon a fourth part of the globe—human nature has not advanced ; she is every day more a slave to the shameful passions of a few, and an accomplice in their crimes by a stupid passive obedience, which blinds her to a sense of her degradation, and almost causes her to forget her noble origin ;

Dynasties are changed, but not the vices of Government. Even when the Greek, the Roman, the Carthaginian of antiquity, appear devoted to liberty, they are unsteady, inconstant, suspicious, envious, discontented with their own territories; great warriors, but bad citizens. I only see in them vices under different aspects, and a chain of evils and of misfortunes. Let them rejoice in Marathon and Salamis, still the Athenian is panic struck at hearing that the walls of the Pireus are doomed to destruction, and to be levelled with the earth; the sons of Thebes weep over their fallen country; the Emilian sheds tears in seeing Carthage in ashes, because it prognosticates that barbarians are to sack Rome; her precious monuments will be delivered over to the flames, and her famished sons will rush through her streets seeking for bread or death. The time had not yet come when men were to be happy. The sublime theory of rights and obligations had not yet been discovered—countries were defended, but not individuals.

I look upon the English as the first who labored for the rights of man. Their ancient charter, extorted, by force, from John Santerre, and their progress, through several centuries, to the time of William the Third, show that we ought to consider them as the discoverers of the great political system. The Anglo-American must confess that the lights he received from his fathers directed him in his struggle, and conducted him to the haven, where he reposes under the shade of the tree of just and moderate liberty.

Our situation, however, is still more fortunate. We have before us, in pictures perfectly executed, the errors and the knowledge, the virtues and the vices, of seventy-two centuries. The union of the Swiss, the constancy of the Dutch, the prudence of the North Americans, the atrocities of the French Revolution, the parties of the Belgic provinces, and even our own, are models which we are to keep in view, that we may follow the examples of some, and detest those of others.

The great American Congress, which is to be a council in great conflicts, a faithful interpreter of treaties, a mediator in domestic disputes, and charged with the formation of our new international law, finds itself invested with all the powers necessary to accomplish the noble, grand, and singular object, for which it is convoked. All the precious materials have been collected beforehand. The whole world is about to witness our labors, and to examine them with deliberation. From the first Sovereign to the last inhabitant of the Austral regions, there is not one indifferent to our task. This, perhaps, may be the last experiment that will be tried, to ascertain whether mankind is capable of being happy. Fellow-laborers, the field of glory has been laid open to us by Bolivar, San Martin, O'Higgins, Gaudalupe, and many other heroes, superior to Hercules and Theseus. Our names are to be written, either with immortal praise or eternal opprobrium. Let us elevate ourselves above a thousand millions of inhabitants, and may a noble pride inspire us, assimilating us to the Deity himself, on that day when he gave the first laws to the Universe.

Warmed by a divine fire, and fixing my eyes steadily on the Author of the Universe, the most enormous difficulties appear to me trivial.

Few, but solid, are the bases on which our confederation is to be founded. Peace with all the world ; respect to the established Governments of Europe, although they be diametrically opposite to those generally adopted in our America ; a free commerce with all nations, and a great diminution of duties in favor of those which have recognized us ; religious toleration towards such as observe different rites from those which we have established, by our several Constitutions. Ah ! nearly thirty-three millions of victims, sacrificed by fanaticism, from the time of the Hebrews to the beginning of the present century ! These teach us to be humane, pacific, and compassionate, even towards those who walk in very different paths. Let the stranger come ; whatever may be his mode of worship, he will be admitted, respected, protected, if his morality, which is true religion, is not contrary to that taught by our Christ. Let them be our masters in agriculture and the arts. Let the sad and despairing countenance of the African, oppressed with the chains of force and power, disappear from our fields. Let him see at his side a man of that color, which he had believed a mark of superiority. He begins to be rational when he perceives that he is distinguished in nothing from other men. Immortal Pitt ! eloquent Fox ! interrupt for a moment your repose, lift your heads from the tomb, and behold with admiration, that the countries formerly enslaved, are those which most venerate your philanthropic maxims.

With respect to ourselves, there are two terrible hidden rocks. One, the desire of aggrandisement of some States at the cost and to the injury of others. The second, the risk that some ambitious man may aspire to tyrannize over his fellow men, and enslave them. I fear both cases as much as I despise the threats of the feeble Spaniards. I cannot extinguish the passions, nor would it be well to extinguish them. That man forever aspiring to something above him ! That man never content with what he possesses ! He has ever been unjust, and shall we convert him suddenly to a love of justice. I trust so. He has experienced the ravages caused by extravagant desires.

Sully and Henry the Fourth formed the project of a tribunal, in order to prevent, in Europe, the first of these dangers. In our days, Gordon wrote a treatise upon the same subject. This diet realizes the praise-worthy intentions of the kings and of philosophers. Let us avoid war by reducing every thing to mediations. The effect of war is conquest ; one State is augmented by reducing that of the vanquished : Montesquieu explained what it really was—Debonaire what it ought to be. Napoleon, by every fresh victory, acquired new territories for France. An arrow cast into our fields or mountains will be an horrid sound, which will be heard throughout the continent, and over all the islands. And about what shall we dispute ? Our productions are the growth of every soil ; our territories are immense ; our ports secure and excellent. One Republic need not envy the other. Will the shepherd of a thousand sheep go forth to rob the little flock of his neighbor ? What injustice ! The diet will not consent to it.

As it frequently happens that wars spring from alliances, it appears that America will only enter into them with the common consent of

all the contracting parties. I suspend my opinion, because that would be to prejudge the decisions.

The second danger is provided for by very simple rules. First, let the confederated Governments guaranty each other's liberty and independence. Second, never let an individual be entrusted with more power than what is necessary to accomplish the purpose for which it was granted. Third, the greater the power the shorter time it ought to be enjoyed, if this is compatible with its intent. Fourth, that he to whom power is confided, be made to depend upon that part of the nation which is disarmed. Fifth, not to maintain standing armies, except in time of actual war. Sixth, to avoid this dreadful evil, irreconcilable with the domestic tranquility of society by every means in our power, and which honor and prudence dictate.

It does not escape me, that, in a corner of the Escorial or of Aranjuez, plans are forming for new expeditions. An event, I deem almost impossible. The history of Spain furnishes us with proofs. Could Philip 2d, his son, or grandson, subject Holland? Could Philip 4th recover Portugal? Could Catalonia have been restored, had it not been for the generosity of France? Has Gibraltar returned into the hands of the Spaniards? Has Jamaica been restored? The history of treaties may be called that of the renunciation of Spain. What was gained in Pavia and San Quintin was lost in that of Vervins, Westphalia, the Pyrenees, Nineguen, Aix-la-Chapelle, and all that have been concluded up to the present day. The Floridas, which were acquired by that of Paris, the United States compelled her to cede by force.

Let us call to mind some circumstances. Philip the Second consented that his troops should live at free quarters, and drive the Dutch to desperation. Charles the Second had to take up loans at 15 per cent. and to sell the Vice Royalties of Peru and Mexico to carry on his wars. This was when the sun never went down in the dominions of the Kings of Spain, and when they were obeyed implicitly. Of what importance are they now? without colonies, without internal union, and the peninsula garrisoned by an hundred thousand French. I am well aware in what manner the expedition against us was formed which sailed in Cadiz in the year 1820. In that were employed the indemnities paid by the French, the private purse of the King, and their last resources. All have been exhausted. There are no vessels; the last rotten hulks have been sent to the Havana. There are no arms, nor any disposition on the part of the Spaniard to come and perish in these countries by the lance or the rigor of the climate.

It is not my wish that we persuade ourselves to disarm—quite the contrary. Let our land and naval forces be increased: but do not let this be done that they may remain in inaction in garrison. Let us strike a blow against this obstinate nation which shall make her tremble. To wait until she attacks is to wait for the Messiah; it is to be eternally armed. Let us compel our enemy to abandon his rashness and caprice. All Europe disapproves his conduct. Even the Princes of the house of Bourbon do not flatter him on this subject.

No nation feels an interest that Spain should continue the war ; the general wish is for peace. Without this, the uniform course of commerce is frequently interrupted, to the great prejudice of all industrious and commercial nations. How different was the position of England when she recognized the independence of the United States. May the prudent English lead the blind Spaniards !

So long as he resists the mediation of those Powers that protect us, let the products of his soil and manufactures of every sort be entirely prohibited. Let them be confiscated wherever they may be found ; and let those who may be convicted of having broken a law, which we are compelled to adopt, lose the cargo.

Destroy completely the manufactures of Valencia and Barcelona. Without a market let the industry of Spain be paralyzed. Let Ferdinand the Seventh be persuaded that if, by withholding his recognition, he compels us to incur prodigious expenses by maintaining armies, he likewise destroys the remnant of a miserable Kingdom, torn to pieces, as it is, by discord, and prostrated under the yoke of a foreign nation.

If ever he was accessible to reason founded in strict justice ; if he can persuade himself that ill can he recover what he knew not how to preserve ; if he be convinced that he has in the Americas neither factions nor places of asylum, then the feeling American would express himself in a different manner. We never will buy our independence. The name of *Liberty* is shocking to us. We are constituted into States, with rights equal to those possessed by the European. We are men voluntarily united in society, and subject only to those compacts which, in the exercise of our free will, we have formed. If Ferdinand the Seventh recognizes them, let him enter into a generous reconciliation which is offered him. Let us forget the immense evils he has occasioned us, and the period of peace be that of the sincerest union. We continue the war against our inclination and against our character ; if not dishonorably, we will terminate it with the liveliest pleasure.

But, Gentlemen, this recognition is not the circumstance which most interests us. Holland became very wealthy, and achieved conquests before she was acknowledged. The Swiss formed alliances with the Sovereigns of Europe before the house of Austria recognized them. The existence of a State does not depend upon being recognized ; that serves only to open foreign relations. The existence of a nation depends upon its interior political organization. Let us possess that, so that it may be the interest of the whole world to hold communication with us. Let us preserve our dignity : let us not admit foreigners who do not come authorized in due diplomatic form : let us not consent that other flags shall be displayed in our ports than those of the Kingdoms and Republics where ours are admitted.

Above all, let us form one family ; let the names which distinguished our respective countries be at an end, and let us adopt the general one of brothers ; let us carry on commerce without obstacles and without prohibitions ; let American goods pass every custom house unexamined ; let us give to each other continued proofs of confidence, disinterestedness, and sincere friendship : let us form one code of public

law, which may become the admiration of the civilized world. By that, an injury done to one State is understood to be done to all; as in a well organized society, what is committed against one citizen, interests the rest of the Republic. Let us solve the problem of which is the best of Governments; each individual enjoying in ours the greatest portion of good, and the nation the most perfect prosperity, it is beyond doubt that which reaches the climax of that happiness which human nature is capable of enjoying.

And when, having concluded our labors, we retire to our homes, surrounded by our sons and grandsons, let us take the youngest of them in our arms, and lifting him up as an offering to the Supreme Being, our cheeks bathed in rivers of tears, let us make him, in his innocent language, pronounce a thanksgiving for the immense benefits we have received from his sovereign justice. Let the Greek boast of his deeds in having left Troy in ashes; the Representatives of the Republics may glory in having promulgated laws, which provide for universal peace with all nations, and the internal felicity of those States which have this day met together, and which will endure to the end of ages.

Panama, 22d June, 1826 : First of the great Diet of America.

MANUEL DE VIDAURRE.

Extracts of a letter, No. 56, from Mr. Poinsett, to Mr. Clay, dated Legation of the United States, Mexico, September 6, 1826.

I saw the Mexican Deputies to the Congress of Panama, this morning, for the first time since their return.

One of the articles of agreement between the New States is, that whenever the safety of America shall require a large force to be kept on foot, the expense shall be defrayed by all parties.

A meeting of the Plenipotentiaries of the Allied Republics is to take place once in every year, in the month of September, so long as the common war continues, and every two years in time of peace. The Plenipotentiaries are to remain in the place agreed upon for three months, which term may be prolonged for two months more, at the end of which period the sessions may be renewed; but, during the war, these Plenipotentiaries cannot leave the territory of the Republic wherein the meetings are held, so that they may meet together immediately, if any extraordinary circumstance should require it.

The Congress will continue its negotiations in Tacubaya so soon as the Ministers arrive who carried the treaties from Panama to their respective Governments. (eight months is the time fixed for exchanging these ratifications, six will probably elapse before these Plenipotentiaries reach Mexico.)

The following is the substance of an additional article of the Treaty of Union, League, and Perpetual Confederation, concluded and signed at Panama. "Whereas the contracting parties, desiring ardently to live at peace with all the nations of the Universe, by avoiding all mo-

tives of misunderstanding which might arise from the exercise of the legitimate rights in peace and war, have agreed and hereby agree, that, immediately on the ratification of the present Treaty, they will proceed to fix, by common agreement, all those points, rules, and principles, which are to govern their conduct in both cases, for which purpose they will renew their invitation to the neutral and friendly Powers, that, if they deem it expedient, they may take an active part in these negotiations and may be present, by means of their Plenipotentiaries, in order to adjust, conclude, and sign, such treaty or treaties as may be made for so important an object."

It would appear from this article that although the sessions of the Congress of Panama have been removed to Tacubaya, the invitation is to be renewed to the neutral and friendly Powers. At all events, our Plenipotentiaries need not be here before the month of February next.

The Mexican Plenipotentiaries told me that they found no difficulty to induce a majority of the Deputies of the Congress of Panama to remove to Tacubaya.

The Isthmus is so sickly that they were all glad to remove from Panama.

I adverted, in the course of conversation, to the very extraordinary sentiments contained in Vidaurre's speech on the opening of the Congress. They assured me that Vidaurre never delivered that discourse, but published it without the knowledge of his colleagues; that on the following day, they, the Mexican Plenipotentiaries, remonstrated verbally, both against the publication of that discourse and against the sentiments it contained, and the Colombian Plenipotentiaries delivered in a written protest to the same effect.

I suggested the propriety of publishing a notice of what took place on that occasion, as the whole tenor of Vidaurre's discourse is calculated to produce an unfavorable impression. I believe this will be done. Might it not be well to do so in our papers?

I shall probably learn the whole of the proceedings at Panama in a few days, and I will continue to send the information as I collect it.

Mr. Poinsett to Mr. Clay.—No. 58.

LEGATION OF THE UNITED STATES,
Mexico, 23d September, 1826.

SIR: I have been assured that, although the present condition of the islands of Cuba and Puerto Rico was considered by the American Plenipotentiaries at Panama, to be incompatible with the safety of these countries, and the policy of subduing them by force formed a frequent topic of conversation in that assembly, still no decisive measures with respect to them were resolved upon, nor are they mentioned in the secret convention concluded between the Spanish American States.

The Plenipotentiaries were probably deterred from acting upon this very important subject, both by the language which has been held by the President with regard to these islands, and by the inability of the Governments of Mexico and Colombia, at this time, to undertake any expensive expedition. The American Plenipotentiaries at Panama, followed in their discussions the order of matters as laid down in General Bolivar's proclamation. The defence of these countries formed the first and most important subject of their deliberations, and they founded the basis of their system on the ground that Spain had lost the means of protecting or holding her American colonies at St. Vincent's and Trafalgar, where her fleets were beaten and destroyed; that those disastrous defeats and the subsequent events of her revolutions having almost entirely annihilated her maritime power, the most obvious method of defending the Americas will be to augment their naval forces, so as to enable them to intercept and destroy on the ocean any expedition that might be sent by Spain against them.

On this reasoning the offensive and defensive treaty between the Spanish American States is formed; and it embraces two objects, first, the ostensible one above recited; and, secondly, that by this arrangement the Governments concerned may be enabled gradually to diminish their land forces. A well-grounded jealousy appears to have been entertained by the Plenipotentiaries assembled at Panama with respect to these large standing armies, and it entered into their views, that, by this convention, the Governments concerned should be compelled to develop their intentions in this respect. By Governments, is meant here those Military Chieftains who direct the civil as well as military affairs of their respective Governments.

As it was understood that Mexico and Colombia must defray the expenses to be incurred in building and equipping the proposed naval force, it is provided that the other States shall pay a contingent for the purpose of supporting it.

The Agent sent to Panama by His Majesty the King of the Netherlands is arrived here; but H. B. M. Commissioner, Mr. Dawkins, is returned to England. These gentlemen were not present at the deliberations of the Congress. The American Plenipotentiaries communicated to them, from time to time, accounts of such of their proceedings as were of great interest, or as they judged proper.

I have gathered these particulars in conversation with the Plenipotentiaries, but have not yet had a sight of the treaties; whenever I do see them, I will immediately give you a more detailed account of their import.

I have the honor to be, very respectfully, sir, your obedient servant.

J. R. POINSETT.

No. 59.

Mr. Poinsett to Mr. Clay.

LEGATION OF THE UNITED STATES,

Mexico, 4th October, 1826.

SIR: I have the honor to transmit, herewith, the translation of a report, made by the Secretary of State of this Republic to the Senate, in reply to a call for information, directed to ascertain the causes of the removal of the Congress of Panama, from that place to Tacubaya.

I am, very respectfully,

Sir, your obedient servant,

J. R. POINSETT.

To the Hon. HENRY CLAY,
Secretary of State, Washington.

[TRANSLATION.]

Communication from the Government to the Chamber of the Senate, on the motives of the removal of the Congress of Panama to Tacubaya.

MOST EXCELLENT SIRs : The most Excellent Ministers Plenipotentiary of the Republic, in the Assembly of the New American States, under date of the 22d instant, make to this Department the following communication : “ In order to gratify the wishes of the most excellent President, which you express to us, in your note of the 18th of the present month, we have solicited and obtained the public papers referred to, and it is only in the Gazette Extraordinary of the Isthmus, of the 22d of June, in the Sun of the 22d August, and in the Supplement to the Royal Gazette of Jamaica, number 32, that we have found any notice or articles having reference to the Assembly of the New American States which met at Panama. The mistakes and political errors which those papers contain on this subject will be demonstrated and removed by the simple exposition we here make of all that occurred in the said Isthmus during the forty-eight days we remained there. To do this in regular order, we shall have to repeat here the relation of some events of which the most excellent President will have been already informed by the respective protocols which we have placed in your hands.

We arrived at Panama on the 4th of June of this year, after a passage of twenty-two days. Compliments and visits of etiquette being concluded, we began to treat of the labors which formed the object of our mission, and, although all the Ministers of the Republics resident there, were most anxious that we should assemble formally, we could not do so, on account of the illness of Don Manuel Vidaurre, Plenipotentiary from Peru. While waiting his recovery, we held various private conferences, which facilitated the course of the negotiations when the time arrived to hold formal sessions. With this object we met on

the 22d of June, and, from that date to the 15th of July, by means of the painful labor of ten and eleven hours daily, we proposed, discussed, adjusted, and concluded a Treaty of friendship, league, alliance, and perpetual confederation, in peace and in war, between the Republics present; a convention on the quotas of men, ships, and money, to make the treaty effective; an arrangement by which the allied Governments only should combine their military operations, by sea and land; and an agreement for the removal of the Assembly, most necessary, as well on account of the insalubrity and of the absolute want of resources experienced at the place fixed upon, as because of the difficulty of communication with the respective Governments, and the scarcity of intelligence of events in Europe, so important to an assembly whose principal care it was to propose and negotiate the means of preserving the independence of the New American States, by agreeing upon measures proper to disconcert and resist those which, with opposite views, either by themselves alone, or with the aid of the Holy Alliance, might be taken by our oppressors. It is scarcely credible that during the four months of our absence, neither did we receive any communication from Mexico, nor did the Government know any thing whatever of our operations, although, on our part, no opportunity was lost of making them known, and sending successively the corresponding documents. The most frequent communication at Panama is that which that city maintains with the Capital of the Republic of Colombia, (Santa fé de Bogota,) and letters to go and return again, require seventy-five days, at least. On the same day on which the Plenipotentiaries assembled in form, an address appeared in the Gazette of the Isthmus, which is supposed to have been spoken to that Assembly. The Assembly not only did not hear this harangue, nor approve this measure, but did not agree with the views it contained of the business that had been concluded, nor in the designation of those subjects which were intended to form the object of their future sessions. The Minister himself who subscribed that paper, was satisfied of the propriety of this conduct. The Republic of Chile offered to send her Ministers so soon as her attention should be relieved from the war of Chiloe, which at that period had not terminated. Buenos Ayres had shewn no disposition to attend. Upper Peru or Bolivar is not yet recognized as a republic, independent of its former metropolis. The United States of the North appointed their Ministers, of whom one has not yet set out for his destination, and the other was in Bogota. They were to unite and to join the Assembly, to agree upon such matters as might not infringe the neutrality which that Republic observes and wishes to continue to observe towards Spain. In the same situation, but under different circumstances, the empire of Brazil is placed. These considerations, the faculty possessed by a majority of the Republics, in virtue of the treaties made by Colombia with Mexico, Guatimala, and Peru, to commence their labors, and select a place proper for their sessions, the liberty remaining to the Republics, which may be allies, to join the confederation, on condition that they ratify the treaties already concluded, and the option left to the neutral and friendly Powers to attend as witnesses,

(signatarias,) the succeeding sessions, at which is to be negotiated all that may contribute to the establishment of a system of public law, which shall render uniform the conduct of the American continent, in peace and in war, determined the assembly to commence at once the negotiations. and pursue them to their termination, and to propose a change of place; when, after some discussion, Tacubaya was agreed upon by the majority. At the period of our arrival at Panama, the dissensions excited by General Paez, had already commenced, but neither had he, nor the Government he had disobeyed, assumed a hostile attitude, but both waited until General Bolivar, in person, or in such other manner as he might think best, should terminate those disturbances, which, although they threatened a revolution in the form of Government, had not effected this object. In this state the affair remained when we left Panama to return to this Republic. During the time we remained at Panama, the most perfect tranquillity prevailed, and the only disagreeable incident which occurred, was the imprisonment of two or three of the principal inhabitants, men of good reputation, on an accusation made against them at Lima, by an individual known to be an impostor and evil minded man, of their being connected with the Spaniards. At the same time there appeared off Carthagena, an Atlantic port, at a great distance from Panama, the ship of the line Guerrero, and two Spanish frigates; whereupon, the commanding General declared his district under martial law, assuming the powers which the laws gave him, and assembled a meeting of the inhabitants to demand supplies. Those persons who had been imprisoned justified themselves, and obtained their liberty in a short time, and the ships disappeared in two days. The Plenipotentiaries, in the midst of these occurrences, continued assembled, made no alteration in their arrangements, and took no part in matters that did not concern them, and which they only learned in familiar conversations. Nothing was communicated to us officially by the authorities of that country, which, at the time of our departure, enjoyed the most perfect order, repose, and tranquillity.

And, by order of the President, I have the honor to communicate the same to your Excellencies, for the information of the Senate, until the treaties concluded in that assembly are laid before it, which will be done in due time by this Department.

God preserve your Excellencies many years.

Mexico, September 26, 1826.

JUAN JOSE ESPINOSA DE LOS MONTEROS.

*The most Excellent Secretaries
to the Chamber of the Senate.*

[TRANSLATION.]

Don José Maria Salazar to the Secretary of State.

LEGATION OF COLOMBIA,

Washington, 20th November, 1826.

SIR: I have received an order from the Government of Colombia to communicate to that of the United States that the Great American

Assembly was installed on the 22d of June last, by the Plenipotentiaries of Peru, Mexico, Central America, and Colombia. The necessity for the concurrence of the Legislature of Chile, which was not in session, to the nomination of Plenipotentiaries, had retarded their arrival at Panama.

The Assembly being installed, it was determined by lot in what order the confederated States should be named, and by common consent, it was determined that the representatives of each should alternately hold the Presidency for the direction of the discussions. These were conducted with that perfect harmony and concord, which the great and important object in view should inspire; and the preparatory conferences and labors which preceded, enabled the Plenipotentiaries, on the 15th of July last, to sign

1st. A Treaty of union, league, and perpetual confederation, between the four States represented, to which the other Powers of America might have an opportunity to accede within one year. 2dly. A Convention for the renewal of the Great Assembly annually in time of common war, and biennially during peace. 3dly. A Convention which fixes the contingent which each confederate should contribute for the common defence. 4thly. An agreement concerning the employment and direction of those contingents; and 5thly. Divers declarations that the treaties which Colombia had formerly concluded with the United Mexican States, Central America, and Peru, should be included in those treaties with certain reservations.

Although the labors of the Congress were already so far advanced, the hazards occasioned by the climate of Panama to the Plenipotentiaries, admonished them to resolve upon a removal of the Congress to the town of Tacubaya, near the City of Mexico, where they expect the Minister whom the Government of the United States has resolved to send.

I have the honor to renew to you the assurances of the high consideration and respect of

Your most obedient servant.

JOSE MARIA SALAZAR.

No. 15.

Mr. Poinsett to Mr. Clay.

LEGATION OF THE UNITED STATES,

Mexico, August 17, 1825.

Sir: I received this day a note from the Secretary of State, dated on the 16th inst. a translation of which accompanies this letter, together with my reply, marked A and B. The intelligence communicated by the Agent of this Government at Jamaica, of a large French force being collected at Martinique, and of the appearance of a squa-

dron of French vessels of war off the Western Cape of the Island of St. Domingo, directing their course towards Havana, has produced a great sensation here ; and a strong disposition exists on the part of the Executive and of Congress, to take very decisive measures against the French residents, and against the commerce of that nation : a disposition, which I shall use every exertion to soften and restrain within due bounds.

The Chargé d'Affaires of H. B. Majesty despatches this evening a courier for London, by the way of New York, to convey intelligence of these events to his Court. He waits for my letters, and, I have not time, therefore, to write so fully by this opportunity as I could have wished.

I have the honor to be, with great respect,

Sir, your obedient servant,

J. R. POINSETT.

To the Hon. HENRY CLAY,
Secretary of State, Washington.

Mr. Alaman to Mr. Poinsett.

A.

To His Excellency JOEL R. POINSETT,
*Minister Plenipotentiary and Envoy Extraordinary
from the United States of North America :*

NATIONAL PALACE OF MEXICO,
August 16th, 1825.

MOST EXCELLENT SIR : I have the honor to enclose to your Excellency, numbered 1 to 5, copies of the communications received by this Government from their Agent in Jamaica, and of a paragraph from a Kingston Gazette, which he sends with them. Whatever degree of credit may be given to the intelligence of the union of French maritime forces in Martinique, to the number of 28 sail, and which is founded on two notices, confirmatory of each other, the fact appears undoubted, that a French squadron, composed of two ships of the line, seven frigates, and two brigs, passed Cape St. Nicholas, sailing in the direction of Havanna, since, as your Excellency will see by the copy No. 4, the commander of the Colombian schooner of war, the *Zulma*, gives official notice to his Government of his having fallen in with it, and of having spoken one of the frigates. By the paragraph of the Jamaica Gazette, copied in No. 5, your Excellency will see that it is said, although on information less certain, that French troops had disembarked in the Island of Cuba, and that its Capital was about to be garrisoned by French troops. Supposing only so much of all this to be true, as is absolutely incontestible, which is,

that a French squadron, composed of nine large vessels, and two smaller, has appeared off the coast of the island of Cuba, sailing in the direction of the Havana—and immediately the question occurs, what is the object of this force? Undoubtedly, it will not be pretended, that it is to protect the French commerce in the West Indian Seas: for, it is very well known that in them it has no other enemies but the Pirates, who are enemies to all nations, and against these, it is clear, there would not be sent large vessels united in squadron, neither can it be said that these vessels have for their object the island of St Domingo, because it would always be asked wherefore they were directed towards the Havana? and, even should such excuses be alleged instead of an admissible explanation, they would only in the present state of these countries, call to mind the cordon sanitaire, under pretext was organized on the frontiers of Spain, the very army which was to invade it. If it is pretended that a French squadron may go to the Havana without causing well founded alarm, because that place is in the possession of Spain, it should be remembered that Havana is the head-quarters of the Spanish forces in the present war against the American Continent. From thence have issued the reinforcements, and every description of supplies, for the Spanish Army, which fought in Colombia, and, from thence, the Spanish Garrison of the Castle of San Juan de Ulloa still maintains itself: so that, even in the case when the Spaniards of the Havana would receive no direct aid from the French forces, these, by placing that bay under shelter, give to the former the means of attacking us, by leaving them at liberty to dispose of their ships of war against us, and even of their land forces. This reasoning would be much stronger, if, as reported, the fortresses of the Havana have been garrisoned by French troops, under whatsoever pretext those may have been delivered up to them: for, such a measure can produce no other effect than to leave the Spanish forces free to undertake expeditions against the Continent. Under whatever aspect this extraordinary and secret union of French forces in Martinique be considered, and, much more, their employment on the Island of Cuba, the President of this Republic can do no less than see in it an act positively hostile against the Independent States of America, or, at least, so suspicious, that it justly demands the attention of this Government. That of your Excellency has declared, in the most solemn manner, that it will never consent that any third Power interfere in the existing question between Spain and the Independent States of America, which formerly were part of her dominions. The conduct of France, in the step to which I refer, is certainly an interference which, for being dissembled, is not more excusable. The President therefore directs me to inform your Excellency of these important events, and to request that you will be pleased to bring them to the notice of your Government, from whose friendship he hopes that it will ask of that of His Most Catholic Majesty such explanations as the case requires, which may serve also as a rule of proceeding to these States, which, in the mean time, under these circumstances, will find themselves obliged to adopt that line of conduct with respect to France,

which may be dictated by prudence, and the necessity of preserving their dignity and political existence.

The President flatters himself that the Government of your Excellency will see in this step a new and distinguished proof of the confidence and reciprocity of interests, which happily exists between both nations.

I have the honor to reiterate to your Excellency the assurances of the high consideration with which I am, your obedient servant,

L. ALAMAN.

B.

Mr. Poinsett to Mr. Alaman.

To His Excellency, DON LUCAS ALAMAN,
Secretary of State and of Interior and Exterior Relations.

LEGATION OF THE U. S. OF AMERICA.
Mexico, August 17, 1825.

SIR: I have the honor to acknowledge the receipt of your Excellency's note of the 16th instant, together with the copies of the communications which this government has received from its Agent in Jamaica, and of a paragraph from the Gazette of Kingston, numbered from 1 to 5.

In compliance with His Excellency the President's desire, I shall immediately transmit them to my Government, not doubting that the President of the United States will take measures to obtain the explanations which His Excellency the President of these States solicits him to ask from His Most Catholic Majesty.

I beg your Excellency to assure the President, that, in the declaration made by the late President of the United States, in his message to Congress of the 21 December, 1823, respecting the policy it would become the United States to adopt in the event of any interposition of the Powers of Europe in the contest between Spain and the Independent States of America which formerly formed a part of her dominions, he spoke the sentiments of the whole nation; and that the present President cherishes the same feelings towards these countries, and entirely coincides in the views and principles laid down in that Message.

Although the re-union of so large a French force in the Island of Martinique, and the information received by this Government of the appearance of a numerous squadron of the ships of war of that nation in the vicinity of the Island of Cuba, are certainly calculated to alarm the fears and to excite the suspicions of this Government as to the ulterior views of His Most Catholic Majesty, and not only justify but call for measures of precaution, I cannot abstain from observing

to your Excellency, that these movements do not necessarily imply hostile intentions on the part of France towards these countries, and that it will be politic that the measures this Government proposes to take with regard to France should not be of a nature to give just cause of complaint to His Most Catholic Majesty, if it should hereafter appear that the re-union of so large a force in Martinique, and the movements of the French squadron in the West-India Seas were entirely unconnected with any designs of that Government against the Americas.

I trust His Excellency the President will attribute this expression of my opinion to the only motive which can actuate me—my earnest solicitude for the peace and security of this country.

I have the honor to be, with respect,
Sir, your obedient servant.

J. R. POINSETT.

No. 43.

Mr. Poinsett to Mr. Clay.

LEGATION OF THE UNITED STATES,
Mexico, May 6th, 1826.

SIR: I have this instant seen Washington papers of the 20th and 30th March, containing the debate upon a resolution offered by Mr. Wickliffe, and directed to learn upon what authority I had declared that the United States had pledged themselves not to permit any other Power than Spain to interfere with the independence or form of government of the new American Republics.

This inquiry was avowedly made in order to ascertain whether I was expressly authorized by the President of the United States to make such a declaration; and although you have no doubt been able clearly to show, that no such authority, implied or direct, was ever given to me, I cannot rest satisfied without stating explicitly, that, in the observations I made during my conference with the Mexican Plenipotentiaries, I alluded only to the Message of the President of the United States to Congress in 1823.

That message, dictated in my opinion by the soundest policy, has been regarded both in Europe and America as a solemn declaration of the views and intentions of the Executive of the United States; and I have always considered that declaration as a pledge, so far forth as the language of the President can pledge the nation, to defend the new American Republics from the attacks of any of the Powers of Europe other than Spain. That the people of the United States are not bound by any declarations of the Executive is known and understood as well in Mexico, where the Government is modelled upon our own political institutions, as in the United States themselves. I need

scarcely, therefore, disclaim all intention to have deceived the Mexican Plenipotentiaries by the argument I used on that occasion.

But, in order to correct any erroneous impression these words might have made upon the minds of the Mexican Plenipotentiaries, I explained to them, in the course of our conference this morning, their precise meaning : that the declaration of Mr. Monroe, in his message of 1823. to which I had alluded, indicated only the course of policy the Executive of the United States was disposed to pursue towards these countries, but was not binding upon the nation, unless sanctioned by the Congress of the United States ; and, that when I spoke of the United States having pledged themselves not to permit any other Power than Spain to interfere with the independence or form of Government of the new American Republics, I meant only to allude to the above cited declaration of the President of the United States in his message of 1823, and to nothing more. Don José Ignacio Esteva, one of the Plenipotentiaries at that period of our negotiations, replied, that he had so understood it, but it was not thought by the Mexican Plenipotentiaries at the time, that such a disposition, nor even a more solemn pledge so to act, entitled us to any special privileges, as it was so obviously the interest of the United States to assist in defending the Americas against the attacks of United Europe.

I have the honor to be, very respectfully,

Your obedient servant,

J. R. POINSETT.

To the Hon. HENRY CLAY,

Secretary of State, Washington.